

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

MICHAEL LEVENSON,)	
)	
Plaintiff,)	Civil Action No. 05-1639
)	
v.)	Chief Judge Ambrose
)	Magistrate Judge Caiazza
OXFORD GLOBAL RESOURCES,)	
INC.,)	
)	
Defendant.)	

MEMORANDUM ORDER

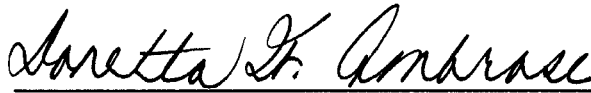
On December 6, 2005, this case was referred to United States Magistrate Judge Francis X. Caiazza for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. §§ 636(b)(1)(A) and (B), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

On September 1, 2006, the magistrate judge issued a Report (Doc. 25) recommending that the Defendant's Motion to Dismiss (Doc. 14) be granted in part and denied in part.

Service of the Report and Recommendation was made on the parties, and no objections have been filed. After a review of the pleadings and documents in the case, together with the Report and Recommendation, the following Order is entered:

AND NOW, on this 21st day of Sept, 2006,
IT IS ORDERED that the Defendant's Motion to Dismiss (**Doc. 14**)
is **GRANTED IN PART** and **DENIED IN PART**, as described in the
magistrate judge's Report.

The Report and Recommendation of Magistrate Judge Caiazza
dated September 1, 2006 is hereby adopted as the opinion of the
District Court.



Donetta W. Ambrose
Chief United States District Judge

cc (via email):

Timothy P. O'Brien, Esq.
Walter P. DeForest, Esq.
Jacqueline A. Koscelnik, Esq.